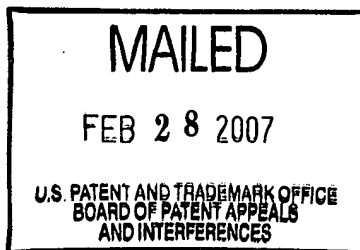


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES



Ex parte DAVID KAMMER

Application 10/006,952

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on February 26, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being electronically returned to the examiner. The matter requiring attention prior to docketing is identified below:

An examination of the Image File Wrapper (IFW) reveals that a Reply Brief was filed on September 13, 2006. On February 15, 2007, a paper entitled "Reply Brief Noted and Supplemental Examiner's Answer" was mailed. Page 4 states:

Appellant may file another reply brief in compliance with 37 CFR 41.41 within two months of the date of mailing of this supplemental examiner's answer. Extensions of time under 37 CFR 1.136(a) are not applicable to this two month time period. See 37 CFR 41.43(b)-(c).

The due date for the Reply Brief is April 15, 2007. It appears that this application was prematurely forwarded to the Board of Patent Appeals and Interferences. Accordingly, this application is being returned to the examiner.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:



DALE M. SHAW

Chief Appeals Administrator
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